

HCS HB 653 -- EMERGENCY SERVICES

SPONSOR: Lauer

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Crime Prevention and Public Safety by a vote of 11 to 3.

This substitute changes the laws regarding community paramedic services, emergency communications services, and the Advisory Committee for 911 Service Oversight, imposes a statewide prepaid wireless emergency telephone service charge, and repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.

COMMUNITY PARAMEDIC

The substitute allows a person to be eligible for certification by the Department of Health and Senior Services as a community paramedic if he or she is currently certified as a paramedic; successfully completes or has successfully completed a community paramedic certification program from a college, university, or educational institution that has been approved by the department or accredited by a national accreditation organization approved by the department; and completes an application form. A community paramedic must practice in accordance with protocols and supervisory standards established by the medical director and must provide services of a health care plan if the plan has been developed by the patient's primary physician, advanced practice registered nurse, or physician assistant and the patient isn't receiving the services from another provider. Any ambulance service must enter into a written contract to provide community paramedic services in another ambulance service area. The contract can be for an indefinite period of time, as long as it includes at least a 60-day cancellation notice by either ambulance service. The substitute specifies that a person cannot hold himself or herself out as a community paramedic or provide the services of the position unless he or she is licensed by the department, and the medical director has approved the implementation of the community paramedic program

EMERGENCY COMMUNICATION SERVICES

The substitute:

- (1) Changes the name of the Wireless Service Provider Enhanced 911 Service Fund to the Missouri 911 Service Fund;
- (2) Authorizes counties to impose by order or ordinance a monthly fee, not to exceed \$1.50 per device, on any device capable of

contacting 911 solely for the purpose of funding 911 service in the county upon approval by the voters of the county. All revenue from the fee will be deposited into the Missouri 911 Service Fund to be remitted monthly by the State Treasurer to the county commission that will control the funds unless the county has established an elected board to administer the funds. However, any county that has established a board for the purpose of administering funds for 911 service may continue to use the existing board to perform the functions after the county has adopted the monthly fee. The fee:

(a) Will be in lieu of the emergency telephone tax levy authorized under Section 190.305, RSMo, or the county sales tax authorized under Section 190.335 for funding the central dispatch of emergency services;

(b) Will not be imposed upon prepaid wireless telecommunications service customers who will be subject to the charge imposed under Section 190.451; and

(c) Cannot be imposed upon any landline capable of contacting 911 if the landline already is subject to a tax or fee imposed for the purpose of funding 911 service.

STATEWIDE PREPAID WIRELESS EMERGENCY TELEPHONE SERVICE CHARGE

Beginning October 1, 2013, the substitute imposes a prepaid wireless emergency telephone service charge of 3% on each retail purchase of prepaid wireless telecommunications service. The amount of the charge must be separately stated to the consumer on an invoice, receipt, or other similar document or otherwise disclosed. If the sale of a prepaid wireless device includes 10 or fewer minutes or \$5 or less of wireless emergency telephone service, the seller can elect not to apply the service charge to the transaction. The substitute specifies the types of retail transactions that will be deemed to have occurred in this state.

The amount of the service charge that is separately stated on an invoice, receipt, or other similar document cannot be included in the base for measuring any tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency.

The substitute specifies that a provider of wireless service must be entitled to the immunity and liability protections under Section 190.450. A seller that is not a wireless service provider must be entitled to the immunity and liability protections under Section 190.450, regardless of any state law regarding compliance with Federal Communications Commission Order 05-116.

The prepaid wireless service charge established by the substitute will be in addition to any other tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency for 911 purposes.

These provisions do not apply to Jackson, Jefferson, St. Charles, and St. Louis Counties.

MISSOURI 911 SERVICE BOARD

The substitute changes the name of the Advisory Committee for 911 Service Oversight to the Missouri 911 Service Board, reduces the number of committee members from 16 to 12, and changes the composition of the board. Additional new powers and responsibilities of the board are specified, including:

- (1) Electing the chair from its membership;
- (2) Designating a state 911 coordinator;
- (3) Applying for and receiving private and federal grants;
- (4) Preparing and presenting a report to the Governor and General Assembly on the state of the state's 911 systems every five years, including specific efforts to improve efficiency, cost effectiveness, and levels of service;
- (5) Administering and authorizing grants and loans to counties, except for Jackson, Jefferson, St. Charles, and St. Louis Counties, that demonstrate a commitment to improving 911. The purpose of grants from the 911 service fund include:
 - (a) Implementation of 911 services in every county of the state;
 - (b) Promotion of consolidation where appropriate;
 - (c) Mapping and addressing all county locations; and
 - (d) Ensuring primary access and texting abilities to 911 services for disabled residents;
- (6) Conducting a survey every five years of public safety answering points in Missouri to evaluate the potential for improved services, coordination, and feasibility of consolidation; and
- (7) Making and executing contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions.

WIRELESS SERVICE PROVIDER ENHANCED 911 ADVISORY BOARD

The substitute repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.

PROPONENTS: Supporters say that the bill provides counties with another option if they would like to have a user fee on any wireless or cell phone. It does not require them to do so, but just gives them a choice. There are currently 17 counties in the state that do not have enhanced 911 services, which does not allow them to pinpoint where a call is coming from accurately and thus, is a public safety concern. The current sales tax doesn't work well in all counties, so the bill will help to expand much-needed 911 services in the state.

Testifying for the bill were Representative Lauer; Nathan Preston; P. Michael Snider, Fire Chief, City of Liberty; Kevin Pratt, Kearney Fire and Rescue Protection District; Paul Lininger, Central Jackson County Fire District; Mid-America Regional Council; Missouri Police Chiefs Association; Richard Reimann, Rave Mobile Safety Smart 911; Missouri Municipal League; Alan Wells, St. Francois/St. Genevieve County 911; National Association of Social Workers-Missouri Chapter; Missouri Farm Bureau; Missouri Retailers Association; John Clemens, Missouri Ambulance Association, Missouri EMS Association, and Marion County Ambulance District; Frank Foster, EMS Legal Services; and American Heart Association.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say there should be parity on the surcharges paid by all callers to 911 and not just by those using a landline telephone.

Testifying on the bill were CenturyLink; and St. Louis County Municipal League.